

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

INTERNATIONAL STRATEGIES  
GROUP, LTD.,

*Plaintiff,*

v.

STEPHEN C. HEFFERNAN,

*Defendant.*

Civil Action  
No. 04CV10863RWZ


**AFFIDAVIT OF THOMAS S. FITZPATRICK**

I, Thomas S. Fitzpatrick, hereby depose and state as follows:

1. I am an attorney licensed to practice before the courts of the Commonwealth of Massachusetts, admitted to practice before this Court and a shareholder and director of Davis, Malm & D'Agostine. I am also counsel to the defendant in this action, Stephen C. Heffernan.
2. Attached hereto as Exhibit 1 is a copy of the Affidavit Of Christopher M. Barber (including exhibits A through G thereto) filed in *International Strategies Group, Ltd. V. Corporation Of The BankHouse, Inc. et al.*, U.S. Dist. Ct. (Mass.) Civil Action No. 02-10532-RWZ. I personally obtained the attached copy of said Affidavit from the case file at the office of the Civil Clerk of this Court.
3. Attached hereto as Exhibit 2 is a copy of a letter dated November 11, 1998 from Chris Barber to Barbara Kravitz. The attached copy of said letter was provided to me by plaintiff's counsel, Kathleen Stone, Esq.

4. Attached hereto as Exhibit 3 is a copy of a memorandum dated November 12, 1998 from Stephen C. Heffernan to Chris Barber. The attached copy of said memorandum was provided to me by plaintiff's counsel, Kathleen Stone, Esq.

Signed under the pains and penalties of perjury this 19 day of May, 2004.

  
Thomas S. Fitzpatrick

I HEREBY CERTIFY THAT A COPY OF THE ABOVE DOCUMENT  
WAS SERVED UPON THE ATTORNEY OF RECORD FOR EACH  
PARTY BY MAIL/HAND ON 5-19-04

